S.B. Criminal Misc. Bail Application No.3865/2006
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Date : 11.09.2006

HON'BLE MR. SATYA PRAKASH PATHAK, J.

Mr. H.S.S. Kharlia for applicants.
Mr. V.R. Mehta, Public Prosecutor.

Both these matter under Section 439 Cr.P.C. have been filed against FIR No.304/2006, Police Station Sangaria. Since, both the applications, arise out of same FIR, they are being disposed of by this common order.

I have heard learned counsel for the applicants as well as the learned Public Prosecutor for the State and carefully gone through the impugned order.

The contention of learned counsel for the applicants is that it is alleged in First Information Report that demand of Rs.15,000/- was made. He submits that allegation at all available on record is against the husband. He submits that police after investigation found that in relation to allegation levelled against the sister-in-law was

not found, therefore, charge-sheet was filed against father-in-law, mother-in-law and the husband of the deceased. He further submits that the deceased died because of drowning. He also submits that omnibus statement has been made that applicants made demand of dowry.

On the other hand, learned Public Prosecutor has opposed the bail application of applicant .

I have considered the submissions made before me and carefully perused the material available on record.

Taking into consideration overall facts and circumstances of the case, the FIR and the statements recorded, I deem it just and proper to enlarge the accused applicants on bail.

Accordingly, the bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that the applicants (1) Mukhtyar Singh son of Nanak Singh and (2) Smt. Ram Kaur wife of Mukhtyar Singh shall be released on bail in FIR No.304/2006 P.S. Sangaria, provided each of them

executes a personal bond in the sum of Rs.30,000/- with two sound and solvent sureties in the sum of Rs.15,000/- each to the satisfaction of learned trial court for their appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(SATYA PRAKASH PATHAK), J.

vijayant